

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In Re:	)	
	)	
<b>Lewis E. Wilkerson, Jr.</b>	)	Case No. <b>20-34576-KLP</b>
	)	
Debtor	)	Chapter 11
-----	)	-----
ROBERT E. DIXON,	)	
Individually and Derivatively on behalf of	)	
D.E.R. LLC,	)	
	)	
Plaintiff	)	
v.	)	Adversary Proceeding
	)	
LEWIS E. WILKERSON, JR. , Debtor,	)	No. 21- 03008- KLP
	)	
Defendant	)	

**CONSENT MOTION FOR CONTINUANCE OF TRIAL**

Robert E. Dixon (the “Plaintiff” or “Mr. Dixon”), by counsel, respectfully moves for a continuance of the October 27 and 28 trial dates in this case and as cause respectfully represents:

1. On October 22, 2021 Cynthia Dixon, witness for the Plaintiff, contacted the undersigned counsel and advised that her son Robert had been scheduled for a critical kidney stone operation at Centra Lynchburg General Hospital on Wednesday, October 27, 2021, which was the first day scheduled for trial of this case. She requested a continuance of trial so that she could be available to testify. She reports that Wednesdays are the only days available for these operations.

2. Mrs. Dixon advised that she was needed to take care of her son’s children on the 27<sup>th</sup>, and also on the 28<sup>th</sup>, to included driving her grand children to and from their schools, as her son was expected to require at least a two days hospitalization. Her son’s wife planned to stay with her husband as much as possible both days due to the seriousness of the operation.

3. Robert E. Dixon, the Plaintiff in this case, also wished to be available to assist his wife in taking care of the grandchildren. Both Robert and Cynthia Dixon are listed as witnesses for the plaintiff.

4. Counsel for the Plaintiff has discussed this situation with trial counsel for the defendant, Ross C. Allen, Esq., who has consented to the continuance subject to the decision of the Court.

A proposed order granting the requested relief is attached hereto as Schedule 1.

WHEREFORE, Robert E. Dixon, Plaintiff, individually and derivatively, requests that the trial dates be continued to another date convenient to the Court and to the parties.

Respectfully submitted,

ROBERT E. DIXON  
Individually and Derivatively, Etc.

Dated: October 25, 2021

By: /s/ W. R. Baldwin, III  
Of Counsel

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Co-Counsel for the Plaintiff

**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing pleading was served by the ECF procedures of this Court October 25, on Robert A. Canfield, Esq., Canfield Wells, LLP, 4124 E. Parham Road Richmond, VA 23228 and Ross C. Allen, Esq., Hairfield Morton, 2800 Buford Road, Suite 201, Richmond, VA 23235 and on the Office of the U.S. Trustee.

\_\_\_\_\_/s/ W. R. Baldwin, III